IN THE SUPREME COURT OF INDIA

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. OF 2026
(arising out of SLP(Crl.) 10518/2026)

VIJENDER KUMAR ..... APPELLANT(S)

VERSUS

STATE OF RAJASTHAN & ANR. ..... RESPONDENT(S)

O R D E R

1. **Leave granted.**

2. **The appellant, Vijender Kumar, is aggrieved by the interim order dated 02.12.2024 passed by the High Court of Judicature at Rajasthan at Jodhpur[1] in S.B. Criminal Revision Petition Nos. 1145 and 1269 of 2024, filed by Yashpal @ Yash Bhambu and Rajveer @ Rajkumar Bhambu respectively, staying the proceedings in Sessions Case No. 28/2021 on the file of the learned Additional District and Sessions Judge[2], Bhadra, Hanumangarh, Rajasthan. It is the case of the appellant, that the revisions have been pending since then and owing to the stay order, the proceedings in Sessions Case No. 28/2021 have remained stalled.**

3. **The case relates to the alleged harassment of the victim, Ravinder Kumar, which led to his suicide on 05.08.2021. In that connection, First Information Report (FIR) No. 205/2021 dated 07.08.2021 was registered on the file of Police Station –**

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Date: 2026.11.07 12:38:11 IST
Reason:

1 "High Court", for short
2 "ADSJ", for short

Bhirani, District – Hanumangarh, Rajasthan, for offences punishable under Sections 306, 384 and 143 of the Indian Penal Code, 1860[3]. The accused named therein were five in number, viz. Hanuman Poonia, Prem Kasniya, Rajveer Bhambhu @ Rajkumar Bhambhu, Yash Bhambu and a private School Director. Upon completion of the investigation, a chargesheet was filed against the accused for offences under Sections 306, 384 and 120B of the IPC. The case was committed to the Sessions Court and was taken up by the learned ADSJ.

4. **While so, the accused filed an application therein seeking discharge under Section 227 of the Code of Criminal Procedure, 1973. However, by order dated 23.07.2024, the learned ADSJ rejected their application and framed charges against them under Sections 306, 384 and 120B of the IPC.**

5. **It is this order that was subjected to challenge before the High Court in its revisional jurisdiction in S.B. Criminal Revision Petition Nos. 1145 and 1269 of 2024 by two of the accused, Yashpal @ Yash Bhambu and Rajveer Bhambhu @ Rajkumar Bhambhu. The revision petitions are stated to be still pending consideration by the High Court. Meanwhile, the High Court deemed it appropriate to stay the proceedings in Sessions Case No. 28/2021, by its order dated 02.12.2024. The validity of the said order is presently in question.**

6. **Perusal of the impugned order reflects that the High Court opined that even if the acts alleged against the two accused,**

3 "IPC", for short

Yashpal @ Yash Bhambu and Rajveer Bhambhu @ Rajkumar Bhambhu, were taken on face value or even in entirety, it would be difficult to constitute an offence under Section 306 of the IPC and stayed further proceedings in Sessions Case No. 28/2021 against Yashpal @ Yash Bhambu and Rajveer Bhambhu @ Rajkumar Bhambhu till the final disposal of the revision petitions.

7. **What is patently clear from the aforestated order is that the High Court did not consider the fact that a separate charge had been framed against the accused with regard to extortion, under Section 384 of the IPC, and even if the charge in relation to abetment to suicide under Section 306 of the IPC was in doubt, the separate charge under Section 384 of the IPC warranted examination independently. There was, therefore, no cause for the High Court to stay further proceedings altogether, thereby bringing the proceedings to a grinding halt.**

8. **The appeal is, accordingly, allowed, vacating the stay and setting aside the impugned order dated 02.12.2024 passed by the High Court in S.B. Criminal Revision Petition Nos. 1145 and 1269 of 2024.**

Pending application(s), if any, shall stand disposed of.

.....J.
(SANJAY KUMAR)

.....J.
(SANJEEV SACHDEVA)

NEW DELHI;
NOVEMBER 06, 2026.

ITEM NO.35 COURT NO.8 SECTION II-D

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition for Special Leave to Appeal (Crl.) No. 10518/2026

[Arising out of impugned final judgment and order dated 02-12-2024 in SBCRLMSP No. 6512/2024 in S.B. Criminal Revision Petition No. 1145/2024 passed by the High Court of Judicature for Rajasthan at Jodhpur]

VIJENDER KUMAR Petitioner(s)

VERSUS

STATE OF RAJASTHAN & ANR. Respondent(s)

Date : 06-11-2026 This matter was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE SANJAY KUMAR
HON'BLE MR. JUSTICE SANJEEV SACHDEVA

For Petitioner(s) : Mr. Suryanarayan Singh, Sr. Adv.
Mr. Karan Bishnoi, Adv.
Mr. Sunny Choudhary- 2071, AOR
Mr. Aryan Vaibhav Srivastava, Adv.
For Respondent(s) :
Mr. Kshitij Mittal, Adv.
Mr. S. Udaya Kumar Sagar- 1132, AOR

Mr. Yogya Rajpurohit, Adv.
Mr. Vinayak Sharma- 4294, AOR

UPON hearing the counsel, the Court made the following
O R D E R

Leave granted.

The appeal is allowed in terms of the signed order, vacating the stay and setting aside the impugned order dated 02.12.2024 passed by the High Court in S.B. Criminal Revision Petition Nos. 1145 and 1269 of 2024.

Pending application(s), if any, shall stand disposed of.

(DEEPAK GUGLANI) (PREETI SAXENA)
DEPUTY REGISTRAR COURT MASTER (NSH)
(signed order is placed on the file)